

## REMARKS

This application has been reviewed in light of the Office Action dated January 13, 2006. Claims 1, 3-5, 8, 10 and 18-26 are presented for examination. Claims 1, 8, 18 and 19 have been amended to define still more clearly what Applicant regards as his invention. Claims 22-26 have been added. Claims 1, 8, 18, 19, 22, 25 and 26 are in independent form. Favorable reconsideration is respectfully requested.

In the outstanding Office Action, Claims 1, 8, 18 and 19 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Those claims have been amended as deemed necessary to ensure that they comply with the requirements of that Section, with particular attention to the points raised in paragraph 4 of the Office Action. See page 11, lines 18-21, which mention “generating calibration data based on measuring data of a printed non-corrected test pattern [emphasis added]”. In this regard, it should be noted that the “patch data” referred to serves as a non-corrected test pattern, as is clear from the discussion in the specification.<sup>1</sup>

It is to be noted that the changes made in this regard do not change what Applicant has intended to claim, and believes that he was already claiming, but are a clarification of the previously presented claim language.

Accordingly, withdrawal of the rejection under Section 112 is respectfully requested.

In the Office Action, Claims 1, 3-5, 8, 10 and 18-21 were also rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,215,562 (Michel et al.).

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<sup>1/</sup> It is also to be understood that the claim scope is not limited by the details of this or any other particular portions of the specification that may be referred to.

At page 3 of the Office Action, discussing Applicant's arguments presented in the Amendment After Final Action dated September 27, 2005, the Examiner expresses the view that the *Michel* system does print a non-corrected test pattern. Citing Fig. 3B, the Examiner points out that *Michel* permits the user to select between printing an original-value test pattern page, which the Examiner views as corresponding to the non-corrected test pattern referred to in Claim 1, and a new-value test pattern page, corresponding to the corrected test pattern. As shown in the mentioned Figure, at steps 314 - 317, the operator can decide to print a test page using original values (step 314). To do so, the user presses the up and down keys and selects yes, and such a page is printed (step 315). Whether such page has been printed or not, the user then is permitted to decide whether to print a test page that uses new values (step 316). If so, the user presses the up and down keys and then selects yes (step 317).

Thus, the user can select to print either, both or neither of these types of test pages. According to Fig. 3B, however, the user of the *Michel* system appears to have to make two separate decisions, one after the other, in steps 314 and 316: first, whether or not to print a color test page using the original values, and then, whether or not to print a color test page that uses new values.

Among other notable features of Claim 1, and of each of the other independent claims rejected over *Michel*, and not in Applicant's view taught or suggested by that patent, is "judging whether or not to print the non-corrected test pattern, based on a state of *one* input by an operation of a user; and controlling execution of said printing step [to print the corrected test pattern] based on a judgment made in said judging step [emphasis added]". This feature is illustrated, according to one embodiment, in Fig. 13.

By virtue of this feature, a user decides, via a single input, whether or not a non-corrected test pattern is to be printed, and then based on that input, either both types are printed, or only a corrected test pattern is printed. That is, in either case, only one input by the user is needed to provide instructions for the printing of the test pattern(s), whereas in the *Michel* system, it appears that two operations are required. Nothing has been found in *Michel* that would teach or suggest any arrangement that results in printing out either a corrected test pattern, or both a corrected and a non-corrected test pattern, based on a single input by a user.

For at least this reason, Applicant submits that Claims 1, 8, 18 and 19 are each allowable over *Michel*.

Each of the newly added independent claims also is believed to be allowable over that patent by virtue of at least this feature.


A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

  
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